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FAX TRANSMITTAL SHEET

NO. OF PAGES (including this page): 14

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Mail Stop PATENT EXTENSION
Art Unit: 1646
FAX: (703) 872-9306

FROM: Sheela Mohan-Peterson
DATE: August 10, 2004

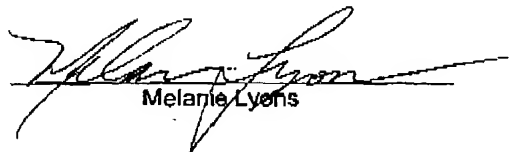
RE: Docket No.: DX0644KBK
USSN: 10/083,720
Filed: February 28, 2002
Title: AK155 Antibodies and Binding Fragments Thereof

Any difficulty with this facsimile, please call: Melanie Lyons at (650) 496-1183

Documents attached:

- Transmittal (1 page)
- Fee Transmittal, in duplicate (2 pages)
- Application for Patent Term Adjustment (2 pages)
- Application Under 37 CFR 1.705 for Correction of Patent Term Adjustment, with attachments (8 pages)

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Fax Number (703) 872-9306, on August 10, 2004.


Melanie Lyons

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PTO/SB/21 (08-03)

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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/083,720	
	Filing Date	02/28/2002	
	First Named Inventor	Rene de Waal MALEFYT	
	Art Unit	1646	
	Examiner Name	Prema Maria MERTZ	
Total Number of Pages In This Submission	14	Attorney Docket Number	DX0644KBK

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form, in duplicate (2 pages) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: 1. Application for Patent Term Adjustment (2 pages) 2. Application Under 37 CFR 1.705 for Correction of Patent Term Adjustment, w/attachments (8 pgs.) 3. Fax Transmittal Sheet (1 page)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Sheela Mohan-Peterson, Reg. No. 41,201 DNAX Research, Inc. 901 California Ave. Palo Alto, CA 94304-1104
Signature	<i>Sheela Mohan-Peterson</i>
Date	10-Aug-2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:			
Typed or printed	Melanie Lyons		
Signature	<i>Melanie Lyons</i>	Date	August 10, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**200.00****Complete if Known**

Application Number	10/083,720
Filing Date	02/28/2002
First Named Inventor	Rene de Waal Malefyt
Examiner Name	P. Mertz
Art Unit	1646
Attorney Docket No.	DX0644KBK

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Other ☐ None☒ Deposit Account:Deposit Account Number: 04-1239Deposit Account Name: DNAX Research, Inc.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	0
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) \$ 0**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from Below	Fee Paid
17	-20** = 0	X	
Independent Claims	1	-3** = 0	X
Multiple Dependent			

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(g)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(e))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) <u>Application for Patent Term Adjustment</u>			<u>200</u>

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$ 200**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Sheela Mohan-Peterson	Registration No.	41,201	Telephone	1-650-496-8400
Signature	<i>Sheela Mohan-Peterson</i>	Date	10-Aug-2004		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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Examiner Name	P. Mertz
Art Unit	1646
Attorney Docket No.	DX0644KBK

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number: 04-1239

Deposit Account Name: DNAX Research, Inc.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

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FEE CALCULATION (continued)**3. ADDITIONAL FEES**

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1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) Application for Patent Term Adjustment 200

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$ 200**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Sheela Mohan-Peterson	Registration No.	41,201	Telephone	1-650-496-6400
Signature	<i>Sheela Mohan-Peterson</i>	Date	10-Aug-2004		

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Docket No.: DX0644KKBK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Rene de Waal MALEFYT, et al.

Application No.: 10/083,720

Filed: February 28, 2002

For: AK155 ANTIBODIES AND BINDING
FRAGMENTS THEREOF

Examiner: Prema Maria MERTZ

Art Unit: 1646

Conf. No.: 1971

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for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,
Fax Number 1-703-872-9306, Attention: Mail Stop: Patent
Extension, on August 10, 2004

MAIL STOP: Patent Extension
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

by:


MELANIE LYONS

**APPLICATION FOR PATENT TERM ADJUSTMENT INCLUDING REQUEST FOR
RECONSIDERATION OF PATENT TERM ADJUSTMENT INDICATED IN NOTICE OF
ALLOWANCE (37 C.F.R. § 1.705)(b)**

Sir:

1. This is a request for reconsideration of the patent term adjustment of 283 days indicated in the Determination of Patent Term Adjustment Under 35 U.S.C. §154(b) that was attached to the Notice of Allowance mailed on May 11, 2004 in the present case. It is respectfully submitted that Applicants be afforded a patent term adjustment of **322 days**.
2. The issue fee has not yet been paid.
3. Applicants submit herewith a "Statement of the Correct Patent Term Adjustment: Grounds Under 37 C.F.R. § 1.702 For the Adjustment (37 C.F.R. § 1.705 (b) (2)(i) and (ii))".
4. Any patent granted on this application (37 C.F.R. § 1.705 (b) (2)(iii)) is not subject to a terminal disclaimer.
5. As to circumstances during the prosecution of this application constituting a failure to engage in reasonable efforts to conclude processing or examination of the

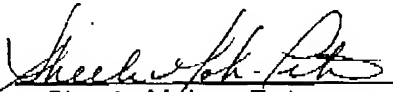
Docket No.: DX0644KBK

above-identified patent application as set forth in (37 C.F.R. § 1.704 (37 C.F.R. § 1.705 (b) (2)(iv)): there were none (37 C.F.R. § 1.705 (b) (2)(iv) (B).

6. The fee of \$200.00 set forth in (37 C.F.R. § 1.18(e), required by (37 C.F.R. § 1.705 (b) (1)), and any additional fees, may be charged to DNAX Deposit Account No. 04-1239. Any refund in fees may be credited to the same Deposit Account.

Respectfully submitted,

Date: August 10, 2004

By: 
Sheela Mohan-Peterson
Registration No.: 41,201
Attorney for Applicants

Customer No. 028008
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